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BEFORE THE
ILLINOIS COMMERCE COMMISSION

ILLINOIS-AMERICAN WATER COMPANY) DOCKET NO.
) 08-0683
Application for a variance from)
Part 600.370 of the Commission's)
rules and from Illinois-American)
Water Company's Tariff Ill. C.C.)
22, Third Revised Sheet No. 36.)

Springfield, Illinois
Tuesday, March 31, 2009

Met, pursuant to notice, at 9:00 a.m.

BEFORE:

MS. LISA TAPIA, Administrative Law Judge

APPEARANCES:

MS. JONI K. OTT
Corporate Counsel
100 North Water Works Drive
Belleville, Illinois 62223
Ph. 618) 239-3222
E-mail: Joni.ott@amwater.com

(Appearing on behalf of
Illinois-American Water Company
via teleconference)

SULLIVAN REPORTING COMPANY, by
Carla J. Boehl, Reporter
Lic. #084-002710

1 APPEARANCES: (Continued)

2 MR. JONATHAN SPERRY
3 Water Department
4 Financial Analysis Division
5 527 East Capitol Avenue
6 Springfield, Illinois 62701
7 Ph. (217) 557-4506

8
9 (Appearing on behalf of Staff of
10 the Illinois Commerce
11 Commission)

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3	<u>WITNESS</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>
4	GRANT A. EVITTS				
5	By Ms. Ott				
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12					
13		<u>EXHIBITS</u>			
14					
15				<u>MARKED</u>	<u>ADMITTED</u>
16	IAWC Exhibit			E-Docket	
17	IAWC's Petition			E-Docket	
18	ICC Staff Exhibit 1.0			E-Docket	
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PROCEEDINGS

JUDGE TAPIA: By the authority vested in me by the Illinois Commerce Commission, I now call Docket Number 08-0683. This case involves a petition initiated by Illinois-American Water Company for a variance from Part 600.370 of the Commission's rules and from Illinois-American Water Company's Tariff CC 212 Third Revised Sheet Number 36. Let the record reflect that this is an evidentiary hearing in this matter.

May I have appearances for the record, please?

MS. OTT: Sure. My name is Joni K. Ott. That's J-O-N-I, initial K, and O-T-T. And I am corporate counsel for Illinois-American Water and I am appearing on behalf of Illinois-American Water. My business address is 100 North Water Works Drive, Belleville, Illinois 62223, and my phone number is area code (618) 239-3222.

JUDGE TAPIA: Thank you, Ms. Ott. And Mr. Sperry from Staff?

MR. SPERRY: My name is Jonathan Sperry. I am

1 appearing on behalf of the Water Department of the
2 Financial Analysis Division of the Illinois Commerce
3 Commission. My business address is 527 East Capitol
4 Avenue, Springfield, Illinois 62701, and my business
5 phone is (217) 557-4506.

6 JUDGE TAPIA: Thank you, Mr. Sperry.

7 Ms. Ott, would you be so kind as to
8 make an initial presentation for the record, please?

9 MS. OTT: Sure. We filed -- the Company filed
10 a petition which is verified back in December. I
11 think it was -- I had it open here, just a second.
12 It was filed on December 22, 2008. And we were
13 requesting, as you indicated, a variance from the
14 Commission Rule Part 600.370 and Illinois-American
15 Water Company's Tariff C.C. 22 Revised Sheet Number
16 36. The purpose of requesting this variance is the
17 rule in our tariff both prohibits service lines from
18 crossing more than one property. And this particular
19 customer, he is located in our certificated area, but
20 his property is separated from our water main by his
21 neighbor's property and across the street. So he is
22 currently served by a well, and his well has gone

1 bad, and so he is requesting service from
2 Illinois-American. And he wants -- and we want the
3 variance for this, we think, so that we can serve him
4 by the service line connected to our main.

5 He did obtain an easement from his
6 neighbor, and that is attached to the petition. I
7 think it is Exhibit C to the petition. And Exhibit B
8 to the petition kind of gives a visual map of how,
9 where his property is, where his neighbor's is, and
10 where our water main is, and where the service line
11 would go. And Exhibit A is just a letter from the
12 customer, Mr. Bike, kind of laying out his reasons
13 for requesting the variance.

14 JUDGE TAPIA: Thank you, Ms. Ott. I have one
15 question, Ms. Ott. Do you know if the customer or
16 actually the owner of the property will be recording
17 this easement?

18 MS. OTT: I think it has been recorded.

19 JUDGE TAPIA: And, Staff, do you have any
20 objections to the nature of this petition?

21 MR. SPERRY: No, we do not, Your Honor.

22 JUDGE TAPIA: Ms. Ott, you can call your first

1 witness.

2 MS. OTT: Okay. My first and only witness is
3 Grant A. Evitts.

4 JUDGE TAPIA: Okay. Mr. Evitts, could you
5 please raise your right hand?

6 (Whereupon the witness was duly
7 sworn by JUDGE TAPIA.)

8 JUDGE TAPIA: Now you may proceed, Ms. Ott.

9 GRANT A. EVITTS

10 called as a witness on behalf of Petitioner, having
11 been first duly sworn, was examined and testified as
12 follows:

13 DIRECT EXAMINATION

14 BY MS. OTT:

15 Q. Okay. Mr. Evitts, can you please state
16 your name and your business address for the record.

17 A. My name is Grant A. Evitts. My address is
18 100 North Water Works Drive, Belleville, Illinois,
19 62223.

20 Q. And you are employed by?

21 A. Illinois-American Water Company.

22 Q. And your position with the company is?

1 A. I am the operations manager of the inter
2 urban district of Illinois-American.

3 Q. And how long have you been employed by
4 Illinois-American Water?

5 A. Over 19 years.

6 Q. And how long have you been in your current
7 position?

8 A. Probably approaching five years.

9 Q. And are you the same Grant A. Evitts who
10 caused to be filed testimony in this case?

11 A. I am.

12 MS. OTT: I would like to offer
13 Illinois-American Exhibit Number GAE-1.0 into the
14 record.

15 JUDGE TAPIA: Thank you. Is there any
16 objection to the admission of Exhibit Number GAE-1.0
17 which is the direct testimony of Grant Evitts,
18 Mr. Sperry?

19 MR. SPERRY: No, Your Honor.

20 JUDGE TAPIA: Thank you. Mr. Evitts, would
21 your answers to your testimony be the same today as
22 they were when you filed this testimony?

1 MR. EVITTS: Yes.

2 JUDGE TAPIA: And are there any changes,
3 additions or modifications from the testimony that
4 you wish to make today?

5 MR. EVITTS: No.

6 JUDGE TAPIA: Thank you. Hearing no objection,
7 the admission of IAWC Exhibit Number GAE-1.0 is
8 admitted into the record.

9 (Whereupon IAWC Exhibit GAE-1.0
10 was admitted into evidence.)

11 JUDGE TAPIA: Anything else you would like,
12 Ms. Ott?

13 MS. OTT: I would just like to point out that
14 the petition was verified, and so I wanted to offer
15 that into evidence as well.

16 JUDGE TAPIA: Thank you, Ms. Ott. Any
17 objection, Mr. Sperry?

18 MR. SPERRY: No.

19 JUDGE TAPIA: Okay. The petition is also part
20 of the record today, hearing that there is no
21 objection.

22 (Whereupon the Petition was

1 admitted into evidence.)

2 Anything else, Ms. Ott?

3 MS. OTT: No, thank you, Your Honor.

4 JUDGE TAPIA: And, Mr. Sperry, would you raise
5 your right hand?

6 (Whereupon the witness was duly
7 sworn by Judge Tapia.)

8 JUDGE TAPIA: Did you prefile your testimony as
9 Exhibit Number 1.0? What date did you file that?

10 MR. SPERRY: I filed that on February 20, 2009.

11 JUDGE TAPIA: So are there any changes,
12 additions or modifications that you wish to make
13 today?

14 MR. SPERRY: No, Your Honor.

15 JUDGE TAPIA: Okay. Are you requesting that
16 this prefiled testimony be part of the record here
17 today?

18 MR. SPERRY: Yes, I do.

19 JUDGE TAPIA: Ms. Ott, do you have any
20 objection to the admission of the direct testimony of
21 Jonathan Sperry which is identified as ICC Staff
22 Exhibit 1.0?

1 MR. SPERRY: No, Your Honor.

2 JUDGE TAPIA: Thank you. Hearing no objection,
3 the direct testimony of Jonathan Sperry, identified
4 as ICC Staff Exhibit 1.0, is admitted into the
5 record.

6 (Whereupon ICC Staff Exhibit 1.0
7 was admitted into evidence.)

8 Let the record reflect that there is no
9 contested issues in this case.

10 Ms. Ott, is there anything that you
11 would like to be part of the record here today?

12 MS. OTT: I have nothing further, Your Honor.

13 JUDGE TAPIA: Thank you. Mr. Sperry, is there
14 anything that you would like to be part of the record
15 here today?

16 MR. SPERRY: No, nothing further.

17 JUDGE TAPIA: Thank you. Hearing that there is
18 nothing further in this case, I will mark this case
19 heard and taken as of today. Thank you.

20 HEARD AND TAKEN

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